

BANKING EXECUTIVE ACCOUNTABILITY REGIME – APPROVED FORM

This form is to be used by an authorised deposit-taking institution (ADI) to apply to have a person registered as an accountable person for the purposes of Part IIAA of the *Banking Act 1959* (the Act).

The form is also to be used to meet certain notification obligations of an ADI as required under section 37F of the Act, being:

- a change to an accountability statement;
- a change to an accountability map; and
- a person ceasing to be an accountable person.

This form applies to each large ADI as determined under subsection 37G(3)(a) of the Act unless otherwise exempted under section 37A of the Act.

The information required by this form must be given to APRA in Excel and provided by email to accountabilityregime@apra.gov.au.

The form is accompanied by instructions to assist ADIs in completing the required information.

Declarations

When submitting this form for the purposes of applying to APRA to register a person as an accountable person, the form must, in accordance with subsection 37HA(2)(c) of the Act, include a signed declaration that the ADI is satisfied the person is suitable to be an accountable person. APRA's expectation is that this declaration would be signed by the Chair of the relevant Board Committee, or a person delegated to sign on the Board's behalf.

When submitting this form for the purposes of applying to APRA to register a person as an accountable person, the form must, in accordance with subsection 37HA(2)(d) of the Act, include the accountability statement for the person. Accountability statements should include a signed declaration by the accountable person that the individual has read, understood and accepted the areas of accountability included in their accountability statement and the obligations of an accountable person under section 37CA of the Act.

BANKING EXECUTIVE ACCOUNTABILITY REGIME – APPROVED FORM

Australian Business Number

Institution Name

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Date Submitted

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1. Registration of accountable person under section 37HA of the *Banking Act 1959* (the Act).

1.1. Accountable person information

Title (1)	Given name(s) (2)	Family name (3)	Date of birth (4)	Former name(s) (5)

Position title (6)	Employer name (7)	Business phone number (8)	Business email address (9)	Start date (10)

1.2. Accountable person responsibilities

1.2.1. Is the individual an accountable person under the general principle in subsection 37BA(1) of the Act?

General principle
Yes / No

1.2.2. Is the individual an accountable person with any of the particular responsibilities in subsection 37BA(2) of the Act?

Particular responsibilities	
1.2.2.1. Responsibility for oversight of the ADI as a member of the ADI's Board	Yes / No
1.2.2.2. Senior executive responsibility for carrying out the management of all the business activities of the ADI and its subsidiaries	Yes / No
1.2.2.3. Senior executive responsibility for management of the ADI's financial resources	Yes / No
1.2.2.4. Senior executive responsibility for overall risk controls and/or overall risk management arrangements of the ADI	Yes / No
1.2.2.5. Senior executive responsibility for management of the ADI's operations	Yes / No

1.2.2.6. Senior executive responsibility for information management, including information technology systems, for the ADI	Yes / No
1.2.2.7. Senior executive responsibility for management of the ADI's internal audit function	Yes / No
1.2.2.8. Senior executive responsibility for management of the ADI's compliance function	Yes / No
1.2.2.9. Senior executive responsibility for management of the ADI's human resources function	Yes / No
1.2.2.10. Senior executive responsibility for management of the ADI's anti-money laundering function	Yes / No

1.3. Assessment of accountable person

1.3.1. Has the individual ever been disqualified under section 21 or section 37J of the Act?	Yes / No
1.3.2. Has the individual ever been the subject of a variation or revocation of disqualification under section 22 or section 37JA of the Act?	Yes / No
1.3.3. Has APRA given any direction in relation to the individual under section 11CA or section 23 of the Act?	Yes / No

1.3.4. For the purposes of meeting the requirements of subsection 37HA(2)(c) of the Act, the ADI hereby declares that it is satisfied that the person is suitable to be an accountable person for the ADI.	Name of signee:
	Title:
	Signature

1.4. Submission of accountability statements and accountability map

1.4.1. Is this registration form accompanied by an accountability statement for the accountable person?	Yes / No
1.4.2. Is this registration form accompanied by an accountability map?	Yes / No

1.5. Additional information relevant to the application

[Free text]

2. Amendment of information or accountability statement for an accountable person already registered, and update of accountability map.

2.1. Updated accountable person information

Title (1)	Given name(s) (2)	Family name (3)	Date of birth (4)	Former name(s) (5)

Position title (6)	Employer name (7)	Business phone number (8)	Business email address (9)	Start date of change (10)

2.2. Submission of accountability statements and accountability map

2.2.1. Is the form accompanied by an updated accountability statement for the accountable person?

Accountability statement
Yes / No

2.2.2. Description of changes to accountability statement

[Free text]

2.2.3. Is the form accompanied by an updated accountability map for the ADI?

Accountability map
Yes / No

2.2.4. Description of changes to accountability map

[Free text]

3. Amendment of accountability map only

3.1. Is the form accompanied by an updated accountability map for the ADI?

Accountability map
Yes / No

3.2. Description of changes to accountability map

[Free text]

4. Notification of a person ceasing to be an accountable person

4.1. A person ceasing to be an accountable person of the ADI or a subsidiary of the ADI.¹

Title (1)	Given name(s) (2)	Family name (3)	Date of birth (4)	Date of cessation (5)

¹ Subsidiary has the meaning given in section 9 of the *Corporations Act 2001*.

BANKING EXECUTIVE ACCOUNTABILITY REGIME – INSTRUCTIONS FOR APPROVED FORM

This form must be submitted by an ADI to apply to register an accountable person under section 37HA of the *Banking Act 1959* (the Act), and may also be submitted when notifying APRA in accordance with certain notification obligations of an ADI as required under section 37F of the Act. This form is used by the ADI to submit information relating to the ADI and any subsidiaries of the ADI.

The section of the form to be completed depends on the purpose of the submission:

- to apply to APRA to register a person as an accountable person, complete section 1 only;
- to amend information for an accountable person already registered, complete section 2 only;
- to amend an ADI's accountability map where the changes do not relate to information provided in section 1 or section 2, complete section 3 only; and
- to notify APRA of a person ceasing to be an accountable person, complete section 4 only.

The submission of the form may be accompanied by an accountability statement or accountability map. Accountability statements should include a signed declaration by the accountable person that the individual has read, understood and accepted the areas of accountability included in their accountability statement and the obligations of an accountable person under section 37CA of the Act.

Section 1. Registration of accountable person under section 37HA of the Act.

A person must be registered under subdivision B of Division 6 of Part IIAA of the Act prior to becoming an accountable person.²

The information contained in items 1.1 to 1.5 of this form is required in order for APRA to register a person as an accountable person for an ADI. A separate form must be completed for each application to register an accountable person.

To amend information for a registered accountable person use Section 2.

The registration information must be submitted at least 14 days prior to an individual commencing as an accountable person for the ADI. APRA must process the application within 14 days of receiving it, unless the ADI withdraws the application during this period or APRA requests further information from the ADI in relation to the application. APRA must process the application within 14 days of receiving additional information requested.

To withdraw a previously submitted application prior to registration, contact accountabilityregime@apra.gov.au.

² If a person becomes an accountable person by filling a temporary vacancy or a vacancy that was not foreseen at the time it arose, the person must be registered once the person has been an accountable person for 28 days. In these cases, the registration information must be submitted at least 14 days prior to the date on which the accountable person must be registered.

Item 1.1	<p>For the accountable person, report:</p> <ul style="list-style-type: none"> • the title in column 1, the given name(s) in column 2, the family name or surname in column 3, the date of birth in column 4, any former name(s) in column 5, the position title in column 6; • the employer in column 7. The employer may be the ADI or may be another entity; • contact details in columns 8 and 9; and • the proposed start date that the person will become an accountable person for the ADI in column 10. The start date must be at least 14 days after the submission date of the form.
Item 1.2	<p>Report 'yes' at item 1.2.1 if the individual has been identified by the ADI as an accountable person under the general principle in subsection 37BA(1) of the Act, otherwise report 'no'.</p> <p>For each of the particular responsibilities in item 1.2.2, report 'yes' if the individual has been identified by the ADI as an accountable person under subsection 37BA(2) or subsection 37BA(6) of the Act, otherwise report 'no'.</p> <p>An ADI may report 'yes' at both item 1.2.1 and item 1.2.2.</p>
Item 1.3	<p>The register of accountable persons contains information regarding disqualifications and directions given in relation to individuals registered as accountable persons.</p> <p>Report 'yes' at item 1.3.1 if the individual has ever been disqualified under section 21 or section 37J of the Act, otherwise report 'no'.</p> <p>Report 'yes' at item 1.3.2 if the individual has ever been the subject of a variation or revocation of disqualification under section 22 or section 37JA of the Act, otherwise report 'no'.</p> <p>Report yes at item 1.3.3 if APRA has given direction in relation to the individual under section 11CA or section 23 of the Act, otherwise report 'no'.</p> <p>The application must, in accordance with section 37HA(2)(c) of the Act, include a signed declaration that the ADI is satisfied that the person is suitable to be an accountable person. This declaration must be completed at item 1.3.4.</p>
Item 1.4	<p>The application to APRA to register a person as an accountable person must include the accountability statement for the accountable person and an updated accountability map.</p> <p>Report 'yes' at item 1.4.1 to confirm that an accountability statement has been provided with the reporting form, otherwise report 'no'.</p> <p>Report 'yes' at item 1.4.2 to confirm that an updated accountability map reflecting the registration of the accountable person has been provided with the reporting form, otherwise report 'no'.</p>
Item 1.5	<p>Include any additional information that the ADI considers relevant to the registration of the accountable person.</p>

Section 2. Amendment of information or accountability statement for an accountable person already registered, and update of accountability map

An ADI must notify APRA of any change to an accountability statement or accountability map within 14 days after the change.

Section 2 collects information to amend details of a registered accountable person including amending the accountability statement of the accountable person. ADIs must also indicate whether the amendments reported in section 2 result in any amendments to the ADI's accountability map.

If an individual ceases to be accountable person for the ADI, report this under Section 4.

<p>Item 2.1</p>	<p>For the accountable person, report:</p> <ul style="list-style-type: none"> • the title in column 1, the given name(s) in column 2, the family name or surname in column 3, the date of birth in column 4, any former name(s) in column 5, the position title in column 6; • the employer in column 7. The employer may be the ADI or may be another entity; • contact details in columns 8 and 9; and • the start date that the amendments are effective in column 10. <p>All columns in item 2.1 must be completed, even when there is no change to the information required since the accountable person was registered. If any of the information required in item 2.1 has changed since the accountable person was registered, report the amended information at item 2.1.</p>
<p>Item 2.2</p>	<p>If an updated accountability statement has been provided with the reporting form, report 'yes' at item 2.2.1, otherwise report 'no'.</p> <p>If 'yes' is reported at item 2.2.1, ADIs should provide a brief description of changes made to the accountability statement at item 2.2.2 together with any changes to the accountable person's responsibilities, including:</p> <ul style="list-style-type: none"> • details of any changes to whether the individual is an accountable person under the general principle in subsection 37BA(1) of the Act; and • details of any changes to the particular responsibilities in subsection 37BA(2) of the Act for which the individual is an accountable person. <p>If an updated accountability map has been provided with the reporting form, report 'yes' at item 2.2.3, otherwise report 'no'.</p> <p>If 'yes' is reported at item 2.2.3, ADIs should provide a brief description of changes made to the accountability map at item 2.2.4.</p>

Section 3. Amendment of accountability map only

An ADI must notify APRA of any change to an accountability map within 14 days after the change.

Section 3 collects information to amend an ADI's accountability map, where the amendment is not associated with any amendment to accountable persons' information.

If the amendment to the accountability map is associated with amendments to accountable persons' information, report this under Section 2.

Item 3.1	Report 'yes' at item 3.1 to confirm that an updated accountability map has been provided with the reporting form.
Item 3.2	ADIs should provide a brief description of changes made to the accountability map at item 3.2.

Section 4. Notification of a person ceasing to be an accountable person

An ADI must notify APRA within 14 days after the event of a person ceasing to be an accountable person of the ADI or subsidiary of the ADI. Section 4 collects information to notify APRA that a person ceases to be an accountable person.

Item 4.1	<p>For the accountable person ceasing to be an accountable person, report:</p> <ul style="list-style-type: none">• the title in column 1, the given name(s) in column 2, the family name or surname in column 3, the date of birth in column 4; and• the date that the individual ceases to be an accountable person of the ADI or a subsidiary of the ADI in column 5. <p>The information reported in column 1 to column 4 must match the most recently submitted information for the accountable person.</p>
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